ABSTRACT

Public service – Agricultural Marketing Department – Allegation of irregularities committed - Departmental Proceedings against Sri K.Jayashekar, Executive Engineer(AM) (Under Suspension), Vijayawada under Rule 20 of A.P. Civil Services (Classification ,Control and Appeal) Rules, 1991 – Article of Charges – Issued.

AGRICULTURE AND CO-OPERATION(VIG-II) DEPARTMENT

G.O.RT.No. 658 Dated: 10-09-2015

Read

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1. It is proposed to hold an enquiry against Sri K.Jayashekar, Executive Engineer(AM) (Under Suspension), Vijayawada in accordance with the procedure laid down in Rule 20 of A.P.C.S. (CC & A) Rules,1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure-I). A statement of imputations, list of documents by which and a list of witnesses by whom the article of charge is proposed to be sustained are also enclosed (Annexure-II,III &IV).

3. Sri K.Jayashekar, Executive Engineer(AM) (Under Suspension), Vijayawada is directed to submit within 15 days of the receipt of this order, a written statement of his defence.

4. Sri K.Jayashekar, Executive Engineer(AM), Vijayawada is further informed that an enquiry will be held only if the article of charge is not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri K.Jayashekar, Executive Engineer(AM), Vijayawada is further informed that if he does not submit his written statement of defence on or before the date specified in Para 3 above, further action will be proceeded on the material available.

6. The attention of Sri K.Jayashekar, Executive Engineer(AM), Vijayawada is invited to Rule 24 of the A.P.C.S (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will

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be presumed that Sri K.Jayashekar, Executive Engineer(AM), Vijayawada is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P.C.S. (Conduct) Rules, 1964.

7. The receipt of the G.O may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT (AM&C)

To
Sri K.Jayashekar, Executive Engineer(AM), Vijayawada
through the Commissioner & Director of Agricultural Marketing, AP.Hyd.
Copy to:
The Commissioner & Director of Agricultural Marketing, AP.,Hyd.

//forwarded by order//

SECTION OFFICER

ANNEXURE-I

Statement of Article of Charges framed against Sri K.Jayashekar, Executive Engineer(AM), Vijayawada

Article of Charge : "That, the said Sri K.Jayashekar, Executive Engineer(AM), while working as Executive Engineer(AM), Vijayawada (under suspension) caused sexual harassment and outrage modesty of Smt. U.Vara Lakshmi, Non-Technical Work Inspector (outsourcing), O/o Deputy Executive Engineer(AM), Kakinada, during his visits to the Sub-Division office, Kakinada in absence of Deputy Executive Engineer, Assistant Engineer and often he used to threaten to withdraw her services unless she accepts his obscene and sexual explicit activities. And also he used to sit in the late nights and used to call her to office in the late night and forced her to attend his personal service".

Thus Sri K.Jayashekar, Executive Engineer(U/S) by his above mentioned act, exhibited lack of integrity, devotion to duty and conduct, unbecoming of a government servant and there by contravened the rule 3 of A.P.C.S (Conduct) Rules, 1964. Hence the charge.

L.PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT (AM&C)

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND IRREGULARITIES IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI K.JAYASEKAR, THE THEN EXECTIVE ENGINEER(AM), VISAKHAPATNAM (Under suspension).

Sri K.Jayasekhar, S/o Sivaiah the then Executive Engineer(AM), Visakhapatnam is a native of Jettipalem (v), Mogalithur Mandalam, West Godavari District. He joined in Government service on 12.07.1985 A.N. as Engineering Supervisor(Assistant Engineer) in AMC, Anakapally in Agriculture Marketing Department. He was promoted as Deputy Executive Engineer with effect from 20.10.2004. Further, he was promoted as Executive Engineer with effect from 04.09.2010 and worked up to 15.06.2011. Further, he was transferred and joined at Vijayawada as Executive Engineer(M) on 16.06.2011. The date of attaining the superannuation is 31.03.2021. He is referred herein-after to as Government servant(GS).

In his report submitted by Enquiry Officer/ Superintendent Engineer vide Letter Dt:25.08.2014, reported that after making enquiry in the office of the Agricultural Marketing sub-Division, Kakinada along with Sri K.S.Prakash, Deputy Executive Engineer, O/o Superintendent Engineer camp office, Guntur conducted enquiry and recorded the statements of the petitioner and others in the O/o Deputy Executive Engineer(AM), Sub-division, Kakinada in connection with compliant on sexual harassment of Sri K.Jayashekar, Executive Engineer(AM), Vijayawada alleged by Smt. U.Varalakshmi, Non-Technical Work Inspector in the O/o Deputy Executive Engineer(AM), Kakinada.

He also reported that she lodged a Police complaint with Karapa Police Station on sexual harassment of Sri K.Jayashekar, Executive Engineer(AM), Vijayawada. Consequent to the compliant given by her the Police authorities conducted preliminary enquiry by calling him on 21.08.2014 at 9.00 AM and registered a case in FIR No. 109/2014 U/s 354 IPC on 21st August, 2014.

Earlier, Smt. K. Subhashini and (Ex-Watch woman) (AM), Kakinada also experienced similar torture from Sri K.Jayashekar as per the report of the enquiry officer.

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He thus exhibited reprehensible conduct by demanding sexual favour and thereby violated Rule 3(C) of A.P.Civil Services(Conduct) Rules,1964.

L.PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT (AM&C)

ANNEXURE-III

List of documents on the basis of which the Article of Charges framed against Sri K.Jayashekar, Executive Engineer(AM), Vijayawada

1) Enquiry Report dat 25.08.2014 of Superintending Engineer (AM) FAC, O/o Commr. & Director of Agril. Marketing, Hyderabad.

2) Complaint lodged at karapa PS by Smt. U. Vara Lakshmi Dt: 21.08.2014

3) Copy of F.I.R Dt: 21.08.2014.

Statement of :

i) Sri S.S.N. Malleswara Rao, Deputy Executive Engineer (AM), Kakinada.

ii) Sri D.R.D. Prasad, Assistant Engineer.

iii) Sri M. Subramanyam, Typist.

iv) Sri T. Durga Prasad, D.E.O.

v) Sri J. Talupulaiah, Watchman.

vi) Smt. K. Subhashini (Ex-Watchwoman).

L.PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT (AM&C)

ANNEXURE-IV

List of witness by whom the Article of Charges framed against Sri K.Jayashekar, Executive Engineer(AM), Vijayawada.

1) Smt. U.Vara Lakshmi

2) Sri S.S.N. Malleswara Rao, DEE(AM), Kakinada.

3) Sri D.R.D. Prasad, Assistant Engineer.

4) Sri M. Subramanyam, Typist.

5) Sri T. Durga Prasad, D.E.O.

6) Sri J. Talupulaiah, Watchman.

7) Smt. K. Subhashini (Ex-Watchwoman).

L.PREMACHANDRA REDDY,
SECRETARY TO GOVERNMENT (AM&C)